

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0031

PC Date: June 26, 2007

ADDRESS: 1000 E. 5th St, 1001, 1003, 1009, 1015, and 1019 E 6th St, and the vacated alley at the 1000 block of E 6th St.

APPLICANT: 6th and Medina Ltd. (Perry Lorenz)

AGENT: Brian Donovan

ZONING FROM: CS-MU-CO-NP **TO:** CS-MU-CO-NP-CURE (opting in to VMU)

AREA: 1.871 acres

SUMMARY STAFF RECOMMENDATION:

Staff alternatively recommends general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. The conditional overlay would opt the property into all the provisions of the vertical mixed use overlay and would prohibit the following uses:

- Adult oriented businesses
- Automotive repair services
- Automotive sales
- Automotive washing (any type)
- Campground
- Club or Lodge
- Commercial off street parking
- Communication service facilities
- Convenience storage
- Drop-off recycling collection services
- Equipment sales
- Extermination services
- Hospital services (general)
- Hotel-motel
- Kennels
- Maintenance and service facilities
- Outdoor entertainment
- Pawn shop services
- Residential treatment
- Transitional housing
- Transportation Terminal
- Vehicle storage

PLANNING COMMISSION RECOMMENDATION:

June 26, 2007: Approved CS-MU-CO-NP (opting in to VMU) (8-0)

DEPARTMENT COMMENTS:

This is an largely vacant lot, currently zoned commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. The request is for commercial services-mixed use-conditional overlay-central urban redevelopment-

neighborhood plan (CS-MU-CO-CURE-NP) combining district zoning, and for early opting in to the Vertical Mixed Use overlay (VMU).

The intent is to redevelop the site with a mixed use condominium project. The request for CURE designation is to allow a 6:1 floor to area ratio (FAR) and to allow a height of 80 feet.

Staff alternatively recommends general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Staff supports the property being opted in to VMU. Staff does not support CURE designation for the site. Staff supports a height of 60', and opting it to VMU would waive any FAR limitation on the project.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-MU-CO-NP	Vacant
<i>North</i>	CS-1-MU-CO-NP and LI-CO-NP	Bar and Furniture Warehouse
<i>South</i>	CS-MU-CO-NP	Vacant (Railroad tracks)
<i>East</i>	CS-MU-CO-NP	Cleaners, Print shop, vacant
<i>West</i>	CS-MU-CO-NP	Garage, antiques, vacant, warehouse

AREA STUDY: The property lies within the East Cesar Chavez Neighborhood Planning Area. The future land use map for this area calls for Mixed Use on the site. The rezoning request does not conflict with the land use map for the plan.

TIA: Since this is an application for a Vertical Mixed Use (VMU) Opt-in/Opt-out process under Chapter 25-2, Subchapter E, Section 4.3.5, the TIA requirement has been deferred till the time of site plan application

WATERSHED: Waller Creek **DESIRED DEVELOPMENT ZONE:** Yes

CAPITOL VIEW CORRIDOR: No **HILL COUNTRY ROADWAY:** No

REGISTERED NEIGHBORHOOD AND COMMUNITY ORGANIZATIONS

- Holly Street Association
- Barrio Unido
- El Concilio
- East Cesar Chavez Neighborhood Planning Team
- Central East Austin Business Owners Association
- GAIN (Guadalupe Association for an Improved Neighborhood)
- Terrell Lane Interceptor Association
- Guadalupe Neighborhood Development Corporation
- AMA Neighborhood Association

- PODER (People Organized in Defense of Earth and her Resources)
- SPEAK (Sentral Plus East Austin Koalition)
- Austin Neighborhoods Council
- Austin Independent School District
- Home Builders Association of Greater Austin

SCHOOLS: (AISD)

Sanchez Elementary School Martin Middle School Austin High School

ABUTTING STREETS:

Name	ROW	Pavement	Classification
East 5 th Street	87'	22'	Minor Arterial
Eat 6 th Street	60'	38'	Major Arterial
San Marcos St	56'	27'	Collector
Medina St	61'	41'	Collector

CITY COUNCIL DATE:

ACTION:

June 21: 2007

Postponed to July 26, 2007

July 26, 2007:

ORDINANCE READINGS:

1st

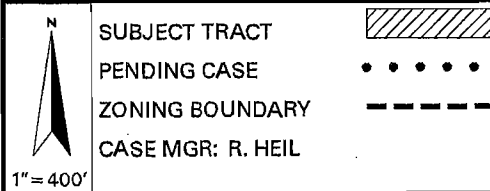
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Robert Heil
e-mail address: robert.heil@ci.austin.tx.us

PHONE: 974-2330



J22



SUMMARY STAFF RECOMMENDATION

Staff alternatively recommends general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. The conditional overlay would opt the property into all the provisions of the vertical mixed use overlay and would prohibit the following uses:

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BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *Zoning should not constitute a grant of special privilege to an individual owner; Granting of the request should result in an equal treatment of similarly situated properties.*
2. *The rezoning should be consistent with the policies and principles adopted by the City Council or Planning Commission and with adopted neighborhood plans.*

The pending Saltillo TOD and the East Cesar Chavez neighborhood plan related zoning case call for 60 feet of height on the property, in keeping with the height limits of the base district. The increase density provided by VMU is appropriate in proximity to a future rail station.

EXISTING CONDITIONS

The site is a largely undeveloped block near a rail alignment and in close proximity to the Saltillo Transit Oriented District.

Transportation

The trip generation under the existing zoning is estimated to be 11,802 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

Since this is an application for a Vertical Mixed Use (VMU) Opt-in/Opt-out process under Chapter 25-2, Subchapter E, Section 4.3.5, the TIA requirement has been deferred till the time of site plan application

A Neighborhood Traffic Analysis is not required. LDC, Sec. 25-6-114.

This site is located along Core Urban transit Corridor (East 5th St and East 6th St).

Existing Street Characteristics:

Name	ROW	Pavement	Classification
East 5 th Street	87'	22'	Minor Arterial
Eat 6 th Street	60'	38'	Major Arterial
San Marcos St	56'	27'	Collector
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There are no existing sidewalks along 5th Street.

There is a bike facility along 4th street which is classified as “High” in terms of ease of use. There is also a planned bike facility in the Bicycle Plan along the railway line just south of 5th Street.

Capital Metro bus service is available along East 6th St. There are 3 routes that provide service including Airport flyer and a free dillo service.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Waller Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is no flood plain within the project area.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

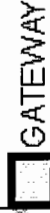
Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations, and abandonments. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction.

**Plaza Saltillo
Neighborhood Center
TOD District**

TOD District Zones

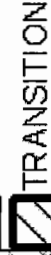
Zone



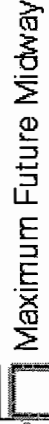
GATEWAY



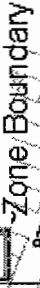
MIDWAY



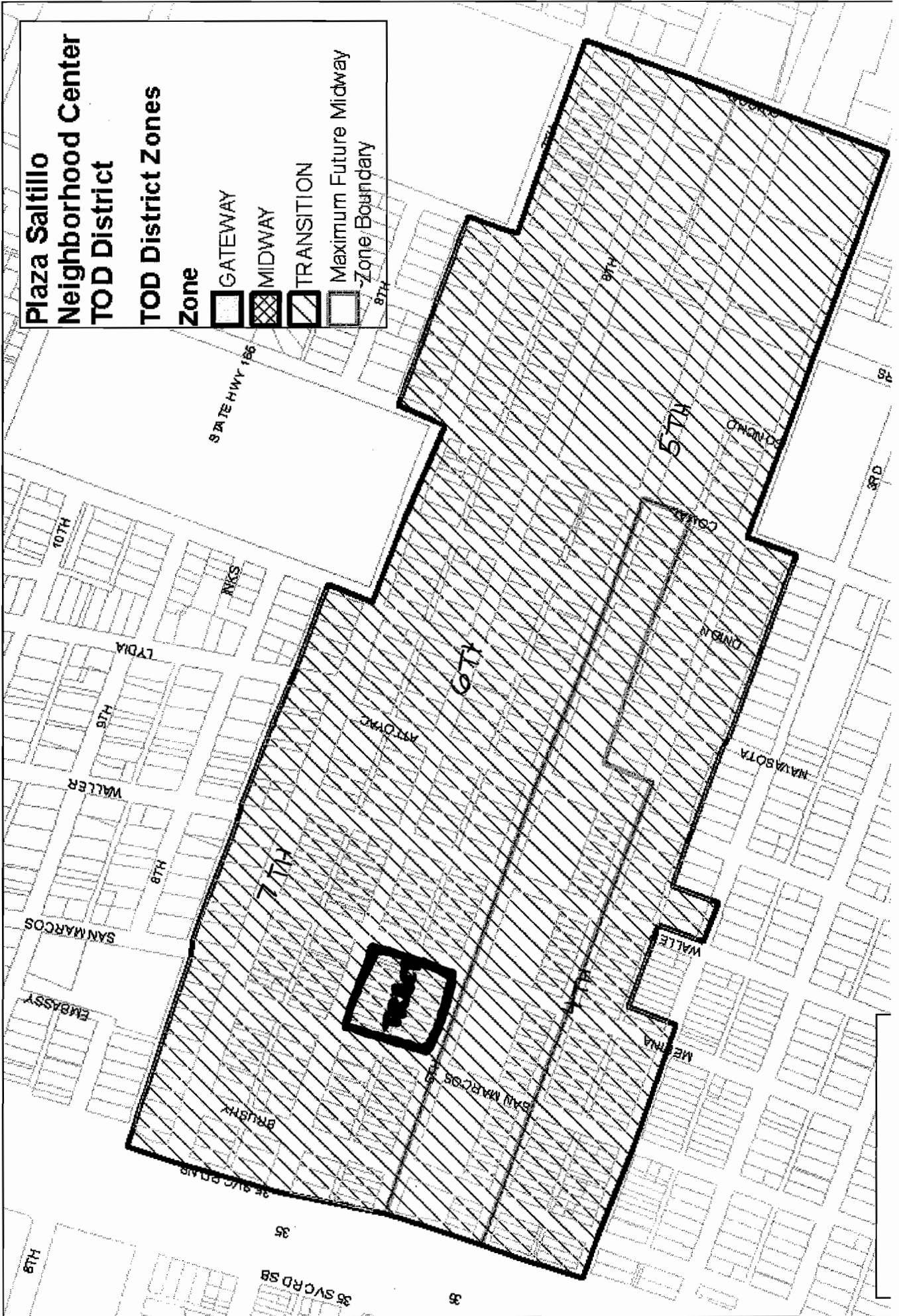
TRANSITION

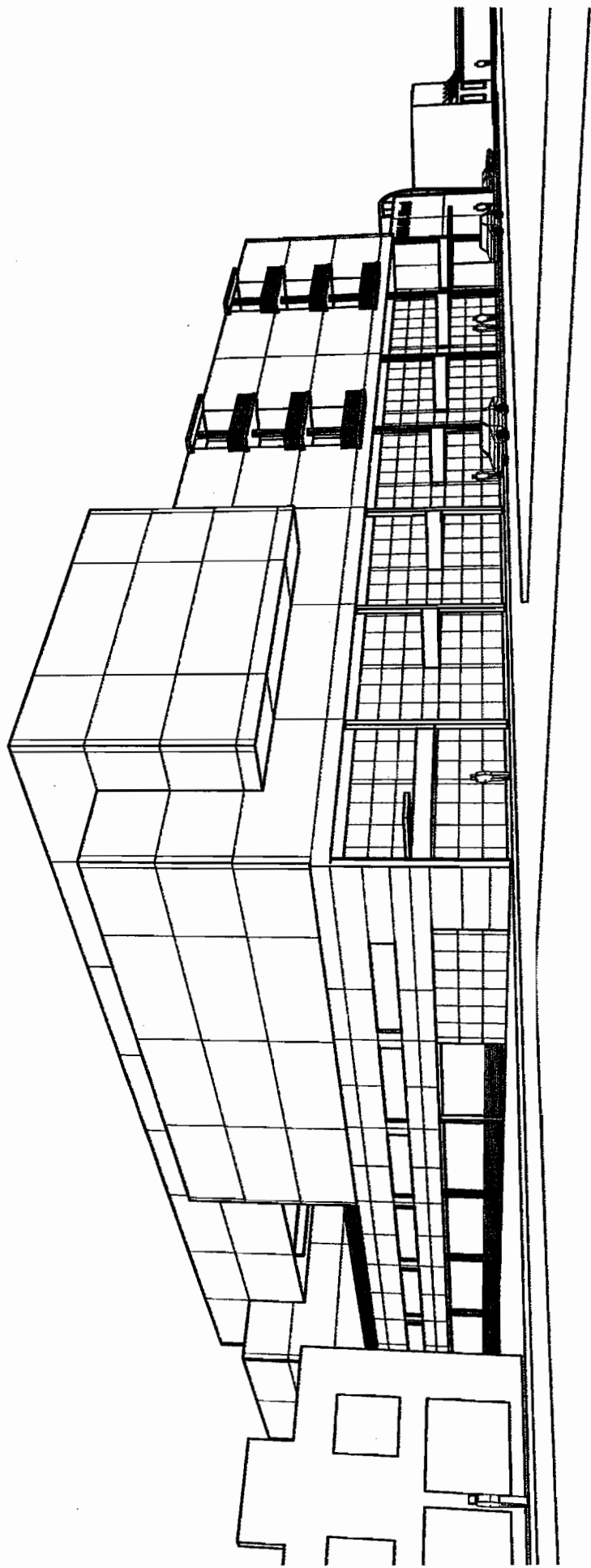


Maximum Future Midway



Zone Boundary





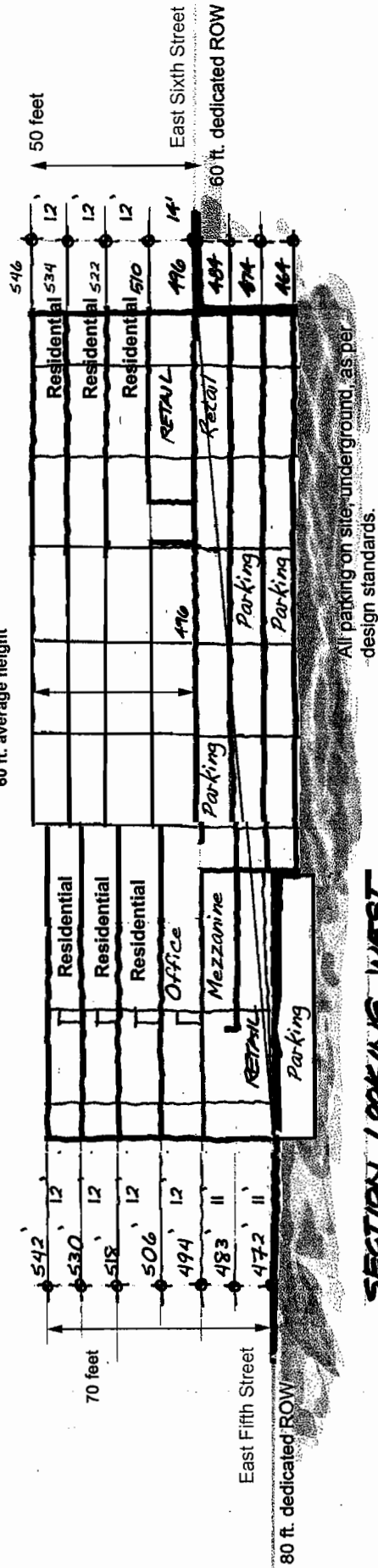
Block One Looking SW from the NE corner of E. Sixth St. and Medina St.

Block One Section

Five stories plus retail mezzanine proposed facing south toward East Fifth Street.

Four story building proposed facing East Sixth Street. First floor retail will be 14 ft. to conform with Commercial Design Standards.

60 ft. average height



All parking on site underground, as per design standards.

THE LAWRENCE GROUP
ARCHITECTS

SECTION LOOKING WEST
1/32" = 1'0"
6.11.2007

Topography of lot descends 24 ft between the south border of East Sixth Street and the North Border of East Fifth Street.



Block One scale representation looking west on E. Sixth Street

Heil, Robert

From: Lori Renteria [lorirenteria@grandecom.net]
Sent: Friday, May 18, 2007 11:17 AM
To: Heil, Robert
Cc: May, Rachel; gndc@sbcglobal.net; Heather Way; Catharine Echols; Frank Fernandez; Mark Yznaga; Laura Morrison
Subject: Block 1 VMU-CURE application, case number C14-07-0031
Importance: High

Dear Robert:

The ECC Team met with the developers of Block One on May 16th and we are quite confused over the addition of the CURE in his application. Our Land Use Committee had met with them on April 16 and did not know they had added CURE to their VMU ap.

I have read the CURE ordinance and I do not see any provision in CURE that automatically allows increase in height beyond the base zoning and I also don't see anything in the formal Plan Amendment process that allows a CURE application to be considered outside of the normal cycle which is in July for our side of town.

We are also confused over the TOD ordinance and not clear on the provisions in regarding height limits and zoning changes. The application is within the Saltillo Transit Oriented Development District and the prior City Council was clear in their intent that if a developer could not wait until the Station Area Plan was written and adopted by City Council then all properties within the Saltillo District would be limited to 60 feet on this tract (40 feet on the Metro tract) and require 25% of all units to be sold as affordable at not more than 60% MFI. Here are the Sections we are asking about:

FROM the TOD ordinance 25-2-766.22 Section B, Part 8 '**in a CP & R Zone**' (which this tract is in) Section b "may not prescribe site development regulations that increase building height BEFORE adoption of the station area plan, UNLESS ;

ii) the development meets the affordable housing goal of providing at least 25% of new housing to households at the following levels:

1) homeownership at 60% MFI and rental units at 50% MFI.

And in 25-2-766.22 Section B, Part 9 "**for a transition zone in the Plaza Saltillo TOD District** (See map), may not prescribe site development regulations that increase building height over the maximum prescribed by the applicable zoning district BEFORE adoption of the station area plan."

Can you please clarify these issues for us and confirm the date the application will be heard by Planning Commission and City Council, please? and thank you.

Lori C-Renteria, 478-6770

6/12/2007

Heil, Robert

From: Danae Robertson [danae@loccivil.com]
Sent: Friday, July 13, 2007 10:11 AM
To: Heil, Robert
Subject: FW: [Fwd: [Fwd: Block One]]

----- Original Message -----

Subject: Block One
Date: Wed, 27 Jun 2007 09:54:11 -0700 (PDT)
From: Jeff Thompson <jeffreylthompson@yahoo.com>
To: Lori Renteria <lorirenteria@grandecom.net>, Sergio Lozano <sergio@loccivil.com>, Richard Kooris <rkooris@501studios.com>
CC: Sabino Renteria <srenter@us.ibm.com>, Molly O'Halloran <molly@mollyohalloran.com>, Mary Lewis <mothermary87@hotmail.com>, Lori <lorirenteria@grandecom.net>, Kevin Ortiz <kbaso@austin.rr.com>, Kathy McWhorter <kmmcwshorter@hotmail.com>, Joseph A Martinez <jmartinez@tcdla.com>, Jeff Thompson <jeffreylthompson@yahoo.com>, Gerardo Castillo <gerardo.castillo@house.state.tx.us>, Felipe Camacho <txelphil@sbcglobal.net>, Dora Hernandez <DoraHer@aol.com>, David Dimitri <ddimi45855@aol.com>, Cristina Valdes <cristinavaldes@hindsiteaustin.com>, Al Moser <thehergotzgroup@sbcglobal.net>, Amy Thompson <amycthompson@myway.com>

Richard and Sergio,
Congratulations on the planning commission accepting your proposal for VMU on Block 1. I would like to thank you for dropping the request for CURE zoning and just asking for the VMU, as the neighborhood requested.
We appreciate your cooperation on this matter and look forward to working with you in the future.

Best of luck on this and any future projects.

Jeff

Jeff Thompson jeffreylthompson@yahoo.com (512) 682-6922 x1003

Building a website is a piece of cake.
Yahoo! Small Business gives you all the tools to get online.
<http://us.rd.yahoo.com/evt=48251/*http://smallbusiness.yahoo.com/webhosting/?p=PASSPORTPLUS>

No virus found in this incoming message.
Checked by AVG Free Edition.
Version: 7.5.476 / Virus Database: 269.10.4/898 - Release Date: 7/12/2007
4:08 PM

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